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Thorn, George D.

Elections of 1913

Harrisburg

1913

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ELECTIONS OF 1913

Duties of Voters, Candidates and Political
Committees

UNDER "ACTS" RELATING TO

"PERSONAL REGISTRATION"

"UNIFORM PRIMARIES"

"PARTY ENROLLMENT"

"NON-PARTISAN PRIMARIES"

AND

"CORRUPT PRACTICES"

PREPARED BY

GEORGE D. THORN
CHIEF CLERK, STATE DEPARTMENT
HARRISBURG, PA.

1913

HARRISBURG, PA.:
WM. STANLEY RAY, STATE PRINTER
1913

Registration Days in Cities.

"If a voter's name is not registered he shall not be entitled to vote at any election."

REGISTRATION DAYS IN ALL CITIES FOR THE NOVEMBER ELECTION, 1913.

(All previous registrations have expired.)

Thursday, August 28, 1913.

Tuesday, September 2, 1913.

Saturday, September 13, 1913.

The hours when the Registrars will sit, in the cities of Philadelphia, Pittsburgh and Scranton are from 7 o'clock A. M. to 10 o'clock A. M., and from 4 o'clock P. M. to 10 o'clock P. M.

In all other cities, from 8 o'clock A. M. to 1 o'clock P. M., from 2 o'clock P. M. to 6 o'clock P. M. and from 7 o'clock P. M. to 10 o'clock P. M.

REGISTRATION OF VOTERS IN FEDERAL OR STATE EMPLOY.

Any person employed in the service of this State, or in the service of the Federal Government, and required thereby to be absent from the city wherein he resided when entering such employment, shall, on petition to the proper registration commissioners, verified by affidavit, and without appearing personally before the commissioners, be registered as of the district wherein he shall have resided prior to entering such service. In such case a residence by street and number shall not be required, but the person shall be registered as of the proper district. In

the case of persons employed by this Commonwealth no such petition shall be considered, unless it be accompanied by a certificate from the Auditor General, under the seal of his office, setting forth that the proper person is actually employed in the service of this Commonwealth, and also setting forth the nature of such employment and the time when such person first entered such employment. In the case of persons employed by the Federal Government no such petition shall be considered, unless it be accompanied by a certificate from the head of the proper department, or chief of the proper division or bureau, under the seal of his office, setting forth that the proper person is actually employed in the service of the United States, and also setting forth the nature of such employment, and the time when such person first entered such employment. No such person shall be registered unless he shall produce to the registration commissioners satisfactory proof that he is, by payment of taxes and otherwise, entitled to registration. When any such person, so registered, shall vote, he shall be required by the proper election officers to sign the ballot check list of the proper district.

STATE WIDE PRIMARY.

The Primary Elections shall be held on the third Tuesday of September in all odd-numbered years and shall be known as the "Fall Primary."

Candidates for all offices to be filled at the municipal election, shall be nominated at the Fall Primary.

The names of candidates for nomination for all county, city, borough, ward and township offices shall be filed with the County Commissioners at least three weeks prior to the primary.

The number of signers required for an office to be voted for by the electors of an entire county is at least one hundred qualified voters.

For the office of Inspector of Elections, five qualified voters.

All other offices, at least ten qualified voters.

Each signer of a Nomination Petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a member of the party designated in such petition: Provided, however That where there are to be elected two or more persons to the same office, each signer may sign petitions for as many candidates for such office as, and no more than he could vote for at the November election. He shall also declare therein that he is a qualified elector of the county therein named, and of the political district or division in which the nomination is to be made. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing. No Nomination Petition shall be circulated prior to sixty days before the last day on which

such petition may be filed, and no signature shall be counted unless it bears date within sixty days of the last day for filing.

Said Nomination Petition may be on one or more sheets. Each sheet shall have appended thereto the affidavit of some person, not necessarily a signer, and not necessarily the same person on each sheet, setting forth that the affiant is a qualified voter of the political district or division, as the case may be; his residence, giving city, borough or township, with street and number, if any; that the signers signed with full knowledge of the contents of the petition; that their respective residences are correctly stated therein; that they all reside in the county named in the affidavit; and that each signed on the date set opposite his name; and that, to the best of affiant's knowledge and belief the signers are qualified electors and members of the designated party of the political district or division, as the case may be.

The Primary Election polls shall be open between the hours of seven o'clock A. M. and seven o'clock P. M.

The qualifications of electors entitled to vote at a primary shall be the same as the qualifications of electors entitled to vote at elections, except that with respect to the payment of taxes, it shall be sufficient if an elector shall have paid within two years before the next November election a State or county tax, which shall have been assessed at least two months before the said election, and paid on or before the day of the primary, and in cases where personal registration is required, on or before the registration day on which he registered.

If an elector is challenged he shall make oath that at the last preceding election at which he voted, he voted for a majority of the candidates of the party for whose ballot he asks.

If such last preceding election was a general election, at which Presidential electors were voted for, he shall, in determining the number of candidates for which he voted, count the group of Presidential electors as two candidates.

Any person who votes, or attempts to vote, at a primary, knowing that he does not possess the qualifications, etc., shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to a fine not exceeding one thousand dollars or imprisonment not exceeding one year, or either, or both, in the discretion of the court.

State Committeemen shall be elected at the Fall Primary, in the year 1913, and shall hold office until their successors are duly elected and qualified at the Spring Primary in 1914: Provided, however, That where the existing rules of a party provide for the election of State Committeemen by the County Committeemen of the respective counties, in the year 1913, the State Committeemen so elected shall serve until their successors are duly elected and qualified at the Spring Primary in 1914.

Vacancies happening at any time in the office of State Committeeman shall be filled by the City or County Committee of the respective parties.

Nomination petitions for all Judges, including Associate Judges, shall be filed in the office of the Secretary of the Commonwealth.

Also those for Member of the State Committee.

The Democratic party, whose rules provide for the election of their members of the State Committee by the County Committee, do not elect those officers at this year's primary.

For all other offices the nomination petitions are filed with the County Commissioners.

NON-PARTISAN.

NOMINATION OF JUDGES.

Judges of the Supreme and Superior Court and Judges of all Courts of record shall be nominated at a primary election upon a non-partisan ballot.

The names of the candidates shall appear on the official non-partisan primary ballot in alphabetical order.

If the candidate is to be voted for in more than one county, the name of the county in which he resides shall be printed opposite to or under his name.

If he lives in a district composed of but one county the name of the township, borough or ward and city shall be printed after his name.

The names of candidates for nomination shall be printed upon the official non-partisan primary ballot, upon the filing of nomination petitions, signed by qualified voters of the State, or of the judicial district, as the case may be.

Each signer of a nomination petition may sign but one petition, for each office to be filled, and shall declare therein, that he has signed no other, except that when more than one is to be elected he may sign petitions for as many candidates as he could vote for at the November election.

To his signature he shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing.

No petition shall be circulated prior to sixty days before the last day on which such petitions may be filed.

Petitions for judges may be filed with the Sec-

retary of the Commonwealth up to and including Tuesday, August 19, 1913, or at least four weeks prior to the primary.

Nomination petitions may be on one or more sheets, but different sheets must be used for signers resident in different counties. Each sheet shall have appended thereto the affidavit of some person, not necessarily a signer, setting forth that he is a qualified elector of the State or judicial district, as the case may be, giving his residence, city, borough, or township, with street and number, if any; that the signers signed with full knowledge of the contents of the petition; that their respective residences are correctly stated therein; that they all reside in the county named in the affidavit; and that each signed on the date set opposite their names; and that to the best of his knowledge and belief they are qualified voters of the district.

Each candidate shall file with his petition his affidavit, stating his residence, with street and number, if any, his post office address, his election district, the name of the office for which he is a candidate, that he is eligible for such office, and that he will not knowingly violate any election law, or any law regulating election expenses.

Nomination Petitions. Number of signers required.

(1) For the office of Judge of the Supreme or Superior Court nomination petitions shall be signed by at least one hundred qualified voters in each of at least five counties of the State.

(2) For the office of Judge of any Court of Record, by at least two hundred qualified voters of the county, or district, as the case may be, but the same sheet may not be used in more than one county.

The candidates for nomination at any primary, for the succeeding election, equal in number to twice the number to be elected in November, who shall have received at such primary the highest number of votes cast, shall be the nominees for such office, Provided, That whenever any candidate, where but one person is to be elected at the succeeding election, shall receive a number of votes greater than one-half the total cast for such office at the primary, such candidate shall be the sole nominee.

In case of a tie vote the candidates shall appear before the Secretary of the Commonwealth on the third Friday after the primary and cast lots, and the one to whom the lot shall fall, shall be entitled to the nomination.

Should a candidate named for the primary die, a majority of the original signers may sign and file another petition, proposing a new candidate for the same office, at any time prior to the printing of the non-partisan primary ballot.

If, after the primary, and before the election, any candidate nominated shall die, or shall by law be disqualified to have his name printed on the ballot for the election, a vacancy shall be deemed to exist, which shall be filled by inserting the name of the candidate at the primary who received the next highest number of votes.

If after the primary and before the election, there should be no candidate whatever nominated, a new petition may be filed, complying with the law regulating filing before the primary. The person named in the first petition so received, shall be the candidate, and no more such petitions shall be received.

Should such nominations be received by the County Commissioners after the official election

ballots are printed, they shall print stickers, containing the name of such candidate, which shall be offered to each voter with the regular ballot.

Any candidate named by petition may withdraw his name as a candidate, at any time before four o'clock of the Friday next succeeding the last day fixed for filing nomination petitions, by a request in writing, signed by him, and acknowledged before any officer authorized to take acknowledgements, and filed with the Secretary of the Commonwealth.

No candidate nominated at, or after a primary, may withdraw his name as candidate for election.

NON-PARTISAN ELECTIONS IN SECOND-CLASS CITIES.

Nominations for all city offices in Second Class Cities—Pittsburgh and Scranton—shall be made at a Primary Election, upon a non-partisan ballot.

Nomination petitions for all offices in cities of the Second Class, shall be signed by at least ten qualified voters of the political district or division within which such nomination is to be made, and shall be filed with the County Commissioners at least three weeks prior to the primaries, the last day being Tuesday, August 26th, 1913.

All the rules and regulations governing the nomination and election of Judges are identical with the rules and regulations governing nominations and elections in Second Class Cities, with the exception that in the case of City officers certain duties are performed by the County Commissioners instead of the Secretary of the Commonwealth.

Non-partisan nominations in Second Class Cities include only those city offices elected by the entire city, such as Mayor, Councilmen and City Controller. Aldermen, Assessors, Election Officers, etc., will be nominated as heretofore on the party primary ballot.

This applies also to third class cities.

PARTY ENROLLMENT.

At each and every Registration of Voters, in all districts of the State, there shall be a Registration and Enrollment of the voters, according to their party preferences, and affiliations: Provided, That if at any time the law provides for the nomination of candidates for any office at non-partisan primaries, then, every registered voter shall be entitled to receive and vote such non-partisan primary ballot.

In cities where personal registration is required, any voter desiring to participate in the primaries of any party, shall, at the time of registration state, under oath, the name of the party of which he is a member, and whose ballot he desires to vote at the primaries, and it shall then be the duty of the proper Registering Officers to write the name of such party opposite his name on the list.

If a voter about to register as member of a party is challenged, he shall not be registered unless he makes oath, that at the last preceding November election at which he voted, he voted for a majority of the candidates of that party. Presidential electors shall be counted as two candidates. Any qualified voter may enroll as member of any party which has secured the exclusive use of a party name, for the ensuing primary. If a voter does not desire to vote at a Primary Election, he shall not be required to answer as to his party membership.

In all election districts, other than in cities, the assessor or registry assessor, shall, within forty-five days after the approval of the enrollment act, make an enrollment of each voter residing in his district, and thereafter, annually, make such enrollment of all voters in his district.

Said assessor, or registry assessor, shall leave at the residence of each voter, absent when his residence is visited, the following form of certificate:

Certificate of Enrollment.

I,, a duly qualified voter residing in.....Election District, hereby declare that I desire to be enrolled as a member of the.....Party, and express my desire to vote the ticket of theParty, at the.....Primary Election next ensuing, and request that my name be enrolled on the Assessor's list as a member of said party, for the purpose of participating in said primary or primaries.

.....
(Signature of Elector.)

WITNESS:

.....
Address.

The assessor shall ascertain, if possible, by personal inquiry, the party politics of the voter, and in case the voter is not at his residence he shall leave a Certificate of Enrollment, which the voter may fill out and give to the Assessor before the sixty-third day preceding each primary.

If a voter does not desire to vote at a primary election he shall not be required to sign the certificate. If a voter in districts, other than cities, is challenged at the primaries as to his party enrollment, he shall make oath that at the last November election he voted for a majority of the candidates of that party. Presidential electors shall be counted as two candidates.

Should the Registrars or Assessors make a mis-

take in recording the voters' party, he may have the Registry corrected or amended, provided such amendment shall not be made later than ten days before any primary election.

No voter registered as a member of one party shall be allowed to receive or vote a ballot of any other party at a primary election, and no voter who is not enrolled as member of some political party shall be permitted to vote at any primary election.

PENALTIES FOR VIOLATIONS.

Any voter who shall wilfully make any false affidavit, or statement, to any Registrar or Assessor, with intent to procure false enrollment, or registration of himself, or any other voter, shall be guilty of a misdemeanor, and shall be punished by imprisonment for not more than one year, and a fine of not more than one thousand dollars, or either, or both, in the discretion of the Court.

Any voter wilfully voting, or attempting to vote, or any election officer wilfully receiving the vote of any voter casting the ballot as a voter of any political party, not qualified as a member of said party, shall be punished by imprisonment for not more than one year and a fine of not more than one thousand dollars, or either, or both, at the discretion of the Court.

THIRD-CLASS CITIES.

Any qualified registered voter in any city of the third class may be nominated to any elective municipal office in said city in the following manner:

It shall be lawful for any such person to be proposed for any elective municipal office by the filing of a petition with the county commissioners, at least

three weeks before the date of the primary election for municipal offices; said petition to be signed by at least twenty-five qualified registered voters of said city.

The petitions proposing the names of citizens for municipal elective offices shall set forth that the signers thereof are qualified and registered voters residing in said city; and shall set forth the residence and occupation of the candidate proposed, and of each person signing said petition; but said petition shall have nothing thereon to designate any political party, or any party affiliations of the person proposed as a candidate, or of the persons proposing the said name.

The county commissioners of the county in which any city of the third class shall be located shall cause to be printed, for the use of voters at any primary election in said city of the third class, where public elective municipal officers are to be nominated, a non-partisan primary ballot.

In addition to the non-partisan ballot there shall be printed another ballot known as the party ballot, upon which shall appear the names of the candidates for all other offices. All these petitions are filed with the county commissioners. To nominate a candidate who will be voted for by an entire county requires one hundred signers.

For the office of inspector of elections five, and for all other officers, at least ten, qualified voters.

NOMINATION AND ELECTION EXPENSES.

LAWFUL EXPENSES.

No candidate, and no treasurer of any political committee, shall pay, give or lend, or agree to pay, give or lend, either directly or indirectly, any money or other valuable thing for any nomination or election expenses whatever, except for the following purposes: For printing and traveling expenses, and personal expenses incident thereto, stationery, advertising, postage, expressage, freight, telegraph, telephone and public messenger services; for dissemination of information to the public; for political meetings, demonstrations and conventions, and for the pay and transportation of speakers; for the rent, maintenance and furnishing of offices; for the payment of clerks, typewriters, stenographers, janitors and messengers, actually employed; for the employment of watchers at primary meetings and elections, to the number allowed by law; for the transportation of voters to and from the polls, and for legal expenses, bona fide incurred, in connection with any nomination or election.

DETAILED ACCOUNT SHALL BE FILED.

Every candidate for nomination at any primary election, caucus or convention, *whether nominated thereat or not*, shall within *fifteen days* after the same was held, if the amount received or expended shall exceed the sum of *fifty dollars*, and every candidate for election, and every treasurer of a political committee, or person acting as such treasurer, shall, *within thirty days* after every election at which such

candidate was voted for, or with which such political committee was concerned, if the amount received or expended shall exceed the sum of *fifty dollars* filed with the officers hereinafter specified a full, true and detailed account, subscribed and sworn or affirmed to by him, before an officer authorized to administer oaths, setting forth each and every sum of money contributed, received or disbursed by him for election expenses, the date of each contribution, receipt and disbursement, the name of the person from whom received or to whom paid, and the object or purpose for which the same was disbursed. Such account shall also set forth the unpaid debts and obligations of any such candidate or committee for election expenses, with the nature and amount of each, and to whom owing.

In the case of candidates for election, *who have previously filed accounts* as candidates for nomination, the accounts shall only include contributions, receipts and disbursements *subsequent* to the date of such prior accounts.

If the aggregate receipts or disbursements of a candidate or political committee, in connection with any nomination or election, *shall not exceed* fifty dollars, the treasurer of the committee or the candidate shall, within *thirty days* after the election, certify that fact, under oath, to the officer with whom the statement is filed.

Each such account shall be accompanied by vouchers for all sums expended exceeding ten dollars in amount.

WITH WHOM ACCOUNTS SHALL BE FILED.

Every such account concerning expenses incurred by, or in regard to, candidates for offices to be voted for by the electors of the *State at large*, shall be filed with the *Secretary of the Commonwealth*; and every

such account concerning expenses incurred by, or in regard to, *candidates for other offices*, shall be filed with the *Clerk of the Court of Quarter Sessions* of the several counties where such candidates may respectively reside: *Provided*, That if any account concerns expenses in regard to candidates who do not all reside in the same county, such accounts shall *be filed in each county* in which such candidate (not being a candidate for an office to be voted for by the electors of the State at large) resides.

OATH OF OFFICE.

It shall be *unlawful* to administer the *oath of office* to any person elected to any public office, until he has filed an account as required by this act; and no such person shall enter upon the duties of his office until he has filed such account, nor shall he receive any salary for any period prior to the filing of the same.

INSPECTION AND PRESERVATION OF ACCOUNTS.

All such accounts shall be open to public inspection in the offices where they are filed, and shall be carefully preserved there for a period of two years.

CONTRIBUTIONS FOR ELECTION EXPENSES.

No person who is not a candidate, or the treasurer of a political committee, shall pay, give or lend, or agree to pay, give or lend, any money or other valuable thing, whether contributed by himself or by any other person, *for any election expenses whatever, except to a candidate or to a political committee*; and no officer of any corporation, whether incor-

ANONYMOUS CONTRIBUTIONS.

porated under the laws of this or any other State, or any foreign country, *except corporations formed for political purposes*, shall pay, give or lend, or authorize to be paid, given or lent, any money or other valuable thing belonging to such corporation to any candidate or to any political committee, for the payment of any election expenses whatever.

It shall be *unlawful* for any candidate, or the treasurer of a political committee, or person acting as such treasurer, to disburse any money received from any anonymous source.

"CANDIDATE" DEFINED.

The term "candidate," as used in the act "to regulate nomination and election expenses," shall, unless especially restricted therein, include both *candidates for nomination and candidates for election*.

"POLITICAL COMMITTEE" DEFINED.

The term "Political Committee" shall include every *two or more persons* who shall be elected, appointed or chosen, or who shall have associated themselves or co-operated, for the purpose, wholly or in part, of raising, collecting or disbursing money, or of controlling or directing the raising, collection or disbursement of money, for election expenses.

TREASURER OF COMMITTEE.

Every Political Committee shall appoint and constantly maintain a Treasurer, to receive, keep and disburse all sums of money which may be collected or received by such committee or by any of its members for election expenses; and unless such treas-

urer is first appointed, and thereafter maintained, it shall be *unlawful* for a political committee or any of its members to *collect, receive or disburse money for any such purpose*. All money collected or received by any political committee or by any of its members, for election expenses, shall be paid over and made to pass through the hands of the treasurer of such committee, and shall be disbursed by him; and it shall be *unlawful* for any political committee or any of its members to *disburse any money for election expenses* unless such money shall have passed through the hands of the treasurer.

PENALTIES.

Any person who shall incur any illegal election expenses, or otherwise violate any of the provisions of the act, shall be guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars or more than one thousand dollars, or by imprisonment for not less than one month or more than two years, either or both, at the discretion of the court.

BLANK FORMS.

Blank forms, suitable for the statements required to be filed, are to be obtained from the County Commissioners.

QUALIFICATIONS OF VOTERS.

GENERAL ELECTIONS.

Every male citizen, twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections, subject, however, to such laws requiring and regulating the registration of electors as the General Assembly may enact:—

First.—He shall have been a citizen of the United States at least one month.

Second.—He shall have resided in the State one year (or, having previously been a qualified elector or native born citizen of the State, he shall have removed therefrom and returned, then six months), immediately preceding the election.

Third.—He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth.—If twenty-two years of age and upwards, he shall have paid within two years a State or county tax, which shall have been assessed at least two months and paid at least one month before the election.

RESIDENCE AND RIGHT TO VOTE OF GOVERNMENT OFFICIALS AND CERTAIN OTHER ELECTORS.

For the purpose of voting no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States, nor while en-

gaged in the navigation of the waters of the State or of the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any poorhouse or other asylum at public expense, nor while confined in public prison.

POLITICAL CALENDAR FOR 1913.

Municipal Primary Election, Tuesday, September 16, 1913.

November Election, Tuesday, November 4, 1913.

Last day for filing petitions for nomination for the primary, with the Secretary of the Commonwealth, Tuesday, August 19, 1913.

Last day for filing nominations with the County Commissioners, Tuesday, September 23, 1913.

Last day for filing nomination papers for Judges, with the Secretary of the Commonwealth, Tuesday, September 30, 1913.

Last day to be assessed, for the November election, Wednesday, September 3, 1913.

Last day to be registered for the November election, in any city, Saturday, September 13, 1913.

Last day to pay tax to qualify for the November election, Saturday, October 4, 1913.

Last day for filing statement of expenses for the Primary, Wednesday, October 1, 1913.

Last day for filing statement of expenses for the November election, Thursday, December 4, 1913.

PROPOSED AMENDMENTS TO THE CONSTITUTION.

There will be on the Official Ballot at the November Election five proposed amendments to the Constitution, for adoption or rejection by the voters of the State.

These Amendments are as follows:

1. To permit the Commonwealth to issue bonds in the sum of fifty million dollars for improving and rebuilding roads.
2. To permit special legislation regulating labor.
3. Providing that judges whose terms of office expire in an odd-numbered year shall hold over until the first Monday of January in the next year.
4. Providing that subjects of taxation may be classified.
5. Authorizing municipalities, other than Philadelphia, to increase their indebtedness under certain conditions.

MSH 202.65

**END OF
TITLE**